

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

Docket No. 3:17-CR-207

PHILIP FINN, JR.

Defendant

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

STALKING
[18 U.S.C. § 2261A]

Beginning on March 3, 2017 and continuing through March 6,
2017, the defendant,

PHILIP FINN, JR

with the intent to harass and intimidate another person, used an
interactive computer service, an electronic communication service and
an electronic communication system of interstate commerce to engage
in a course of conduct that caused, attempted to cause and would
reasonably be expected to cause substantial emotional distress to that
person.

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The course of conduct included, among other conduct:

1. On March 3, 2017, the defendant made verbal threats against two individuals, employed by Luzerne County Children and Youth Services (CYS), identified as Victim #1 and Victim #2. These threats were communicated by the defendant to two other CYS employees and they were told they could relay them to their agency. The threats included reference to a new assault rifle that he had purchased.

2. On March 4, 2017 and March 5, 2017, the defendant made multiple postings on Victim #1's ex-husband's Facebook account using derogatory and threatening language against Victim #1 and Victim #2.

3. On March 4, 2017 and March 5, 2017, the defendant utilized his Google email account to send Victim #2 a series of email messages which read, "I can't wait...", "it won't be quick...", "it won't be painless..."it won't be in vain".

4. On March 4, 2017 and March 5, 2017, the defendant utilized his cell phone to Google search the names and home addresses of Victim #1 and Victim #2.

5. On March 5, 2017, the defendant utilized his cell phone to Google search using the phrases, "best way to threaten someone", "clever threats" and "how to threaten someone effectively."

6. On March 6, 2017, the defendant used his cellular phone to obtain directions to Victim #1's home address and proceeded to drive to that address.

7. On March 6, 2017, the defendant used three Molotov cocktails to firebomb the place of employment of Victim #1 and Victim #2, causing damage to the building and specifically, Victim #2's office.

In violation of Title 18, United States Code, Section 2261A(2)(B).

THE GRAND JURY FURTHER CHARGES:

COUNT TWO

INTERSTATE COMMUNICATIONS
[18 U.S.C. § 875(c)]

On or about March 4, 2017, in the Middle District of Pennsylvania, the defendant,

PHILIP FINN, JR

knowingly and willfully did transmit in interstate commerce, a Facebook communication to the ex-husband of Victim #1, containing a

threat to injure Victim #1, specifically, "Listen no one will EVER harm my daughter including your [expletive deleted] wife..I already have all information about you and your children..If she continues to try to harm my 8 year old daughter which she already has..You can use your imagination...She was told the truth from my daughter and your [expletive deleted] wife did what she wanted anyway. I'd suggest you or her call me because I can assure you..My only purpose in life is to protect my beautiful daughter..and your [expletive deleted] wife isn't going to get a chance to hurt her."

In violation of Title 18, United States Code, Section 875(c).

THE GRAND JURY FURTHER CHARGES:

COUNT THREE

INTERSTATE COMMUNICATIONS

[18 U.S.C. § 875(c)]

Between March 4, 2017 and March 5, 2017, in the Middle District of Pennsylvania, the defendant,

PHILIP FINN, JR

knowingly and willfully did transmit in interstate commerce, a series of email messages to Victim #2, containing a threat to injure Victim #2,

specifically, "I can't wait...", "it won't be quick...", "it won't be painless...", "it won't be in vain...".

In violation of Title 18, United States Code, Section 875(c).

THE GRAND JURY FURTHER CHARGES:

COUNT FOUR

**MALICIOUS DAMAGE TO FEDERAL PROPERTY BY FIRE
[18 U.S.C. § 844(f)(1)]**

On or about March 6, 2017, in the Middle District of Pennsylvania,
the defendant,

PHILLIP FINN, JR

maliciously damaged and attempted to damage, by means of fire, a building, located at 111 North Washington Avenue, Wilkes-Barre, housing the offices of Luzerne County Children and Youth, an agency receiving Federal financial assistance.

In violation of Title 18 United States Code, Section 844(f)(1).

THE GRAND JURY FURTHER CHARGES:

COUNT FIVE

USE OF FIRE TO COMMIT A FELONY
[18 U.S.C. 844(h)(1)]

On or about March 6, 2017, in the Middle District of
Pennsylvania, the defendant,

PHILIP FINN, JR.

knowingly used fire and an explosive to commit Stalking, a felony
prosecutable in a court of the United States, under 18 U.S.C. § 2261A,
as charged in Count 1 of this Superseding Indictment.

All in violation of Title 18, United States Code, Section 844(h)(1).

A TRUE BILL


ON

DAVID J. FREED
UNITED STATES ATTORNEY

Dated: 10/02/2018

Jenny P. Roberts
Jenny P. Roberts
Assistant United States Attorney